

ORIGINAL

TOWN OF WHITESTOWN, INDIANA  
RESOLUTION NO. 2019-29

A RESOLUTION CONCERNING INTEREST IN AND THE  
AUTHORITY TO PURCHASE OR ACQUIRE PROPERTY

**WHEREAS**, Indiana law authorizes the Town Council of the Town of Whitestown, for itself and on behalf of Whitestown Municipal Utilities ("Whitestown"), to accept, purchase, or otherwise acquire property interests as the Town Council considers necessary and appropriate; and

**WHEREAS**, Whitestown is undertaking a utility project ("Project"), which will require Whitestown to obtain the property generally identified in the attached Exhibit A ("Property"); and

**WHEREAS**, Indiana Code § 36-1-10.5-5 directs, under certain circumstances which may be applicable here, that the Town Council pass a resolution to the effect that it is interested in making a purchase of specified land or a structure; and

**WHEREAS**, the Town Council believes that it is in the best interest of Whitestown to obtain the necessary or appropriate Property and desires to authorize the acquisition thereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Whitestown, Indiana hereby declares its interest in purchasing or obtaining necessary or appropriate interests in the Property attached hereto as Exhibit A, or as may otherwise be necessary or appropriate to effectuate the Project. The Town Council further authorizes the Town Manager or Public Works Director, with the assistance of the Town's legal counsel, utility staff, and/or other consultants, to take all necessary and appropriate action to obtain the Property for the Project, including but not limited to accepting dedication, negotiating, purchasing, obtaining appraisals, extending uniform offers, acquiring, or filing acquisition proceedings, provided that such actions and costs are reasonably and appropriately within the scope of the applicable funding and attempting wherever proper to conserve taxpayer and/or customer expense.

PASSED AND ADOPTED BY THE WHITESTOWN, INDIANA TOWN COUNCIL THIS 9<sup>TH</sup> DAY OF OCTOBER, 2019.

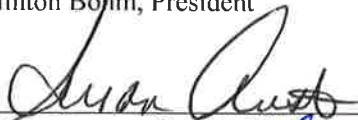
THE TOWN COUNCIL OF THE  
TOWN OF WHITESTOWN, INDIANA

YAY/NAY



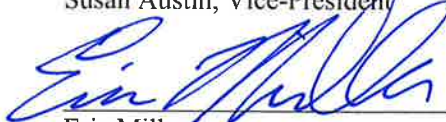
Clinton Bohm, President

YAY



Susan Austin, Vice-President

Yes.



Eric Miller

Yes

ATTEST:



Matt Sumner, Clerk-Treasurer  
Town of Whitestown, Indiana

Kevin Russell

Jeffrey Wishek

# EXHIBIT "A"

## EASEMENT

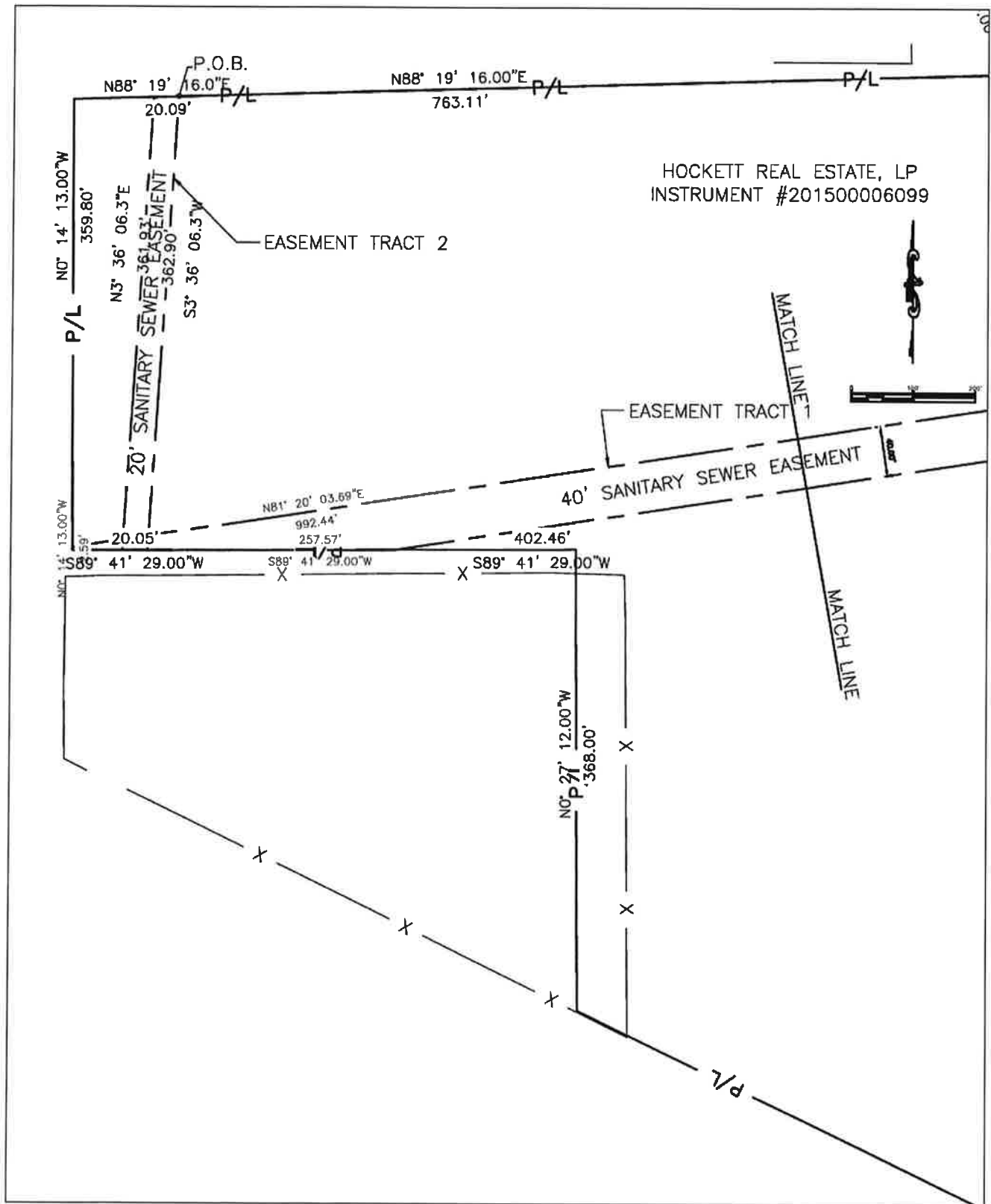
Part of the East Half of the Northeast Quarter of Section 19, Township 18 North, Range 2 East and lying entirely within a property described in Instrument #201500006099 as recorded in the Office of the Recorder, Boone County, Indiana, more particularly described as follows:

### **Easement Tract 1**

Beginning at a Harrison Monument found marking the Northeast corner of the Northeast Quarter of Section 19, thence South 88 degrees 19 minutes 13.43 seconds West 564.48' along the North line of the Northeast Quarter of said Section 19 to the Point of Beginning of this Sanitary Sewer Easement; thence South 1 degree 40 minute 44.00 seconds East 40.0'; thence South 10 degrees 48 minutes 33.88 seconds East 190.0'; thence South 24 degrees 30 minutes 38.67 seconds East 190.0'; thence South 27 degrees 40 minutes 49.58 seconds East 290.0'; thence South 39 degrees 25 minutes 54.44 seconds East 105.06'; thence South 81 degrees 20 minutes 3.69 seconds West 808.32'; thence South 89 degrees 41 minutes 29.00 seconds West 257.57'; thence North 0 degrees 14 minutes 13.00 seconds West 2.59'; thence North 81 degrees 20 minutes 3.69 seconds East 992.44'; thence South 39 degrees 25 minutes 54.44 seconds East 38.82'; thence North 27 degrees 40 minutes 49.58 seconds West 295.22'; thence North 24 degrees 30 minutes 38.67 seconds West 195.91'; thence North 10 degrees 48 minutes 33.88 seconds West 198.00'; thence North 1 degree 40 minutes 44.00 seconds West 43.19'; thence North 88 degree 19 minutes 9.11 seconds East 40.00' to the Point of Beginning; said Sanitary Sewer Easement being 40' in width and containing 1.56 Acres, more or less.

### **Easement Tract 2**

Beginning at a Harrison Monument found marking the Northeast corner of the Northeast Quarter of Section 19, thence South 88 degrees 19 minutes 13.43 seconds West 671.68' along the North line of the Northeast Quarter of said Section 19, thence South 9 degrees 32 minutes 17.00 seconds East 301.40'; thence South 23 degrees 54 minutes 4.00 seconds East 194.80'; thence South 88 degrees 19 minutes 16.00 seconds West 678.95' to the Point of Beginning of this Sanitary Sewer Easement; thence South 3 degrees 36 minutes 6.3 seconds West 362.90'; thence South 89 degrees 41 minutes 29.00 seconds West 20.05'; thence North 3 degrees 36 minutes 6.3 seconds East 361.93'; thence North 88 degrees 19 minutes 16.00 seconds East 20.09' to the Point of Beginning; said Sanitary Sewer Easement being 40' in width and containing 0.17 Acres, more or less.



ms consultants, inc.  
engineers \* architects \* planners  
115 WEST WASHINGTON STREET, SUITE 1310  
INDIANAPOLIS, INDIANA 46204-4818  
(317)-566-0050 Fax: (317)-566-0052

**EXHIBIT "B"**

**SHEET**

**1 of 2**

